

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**STANDRA CHIMERE CAMERON,**

**Plaintiff,**

**v.**

**THE COMMONWEALTH**

**OF PENNSYLVANIA, *et al.*,**

**Defendants.**

:  
:  
:  
:  
:  
:  
:  
:

**Case No. 2:22-cv-4454-JDW**

**MEMORANDUM**

Standra Chimere Cameron used to work at the Pennsylvania Department of Human Services for disability discrimination and retaliation. She asks the Court to permit her to proceed without prepaying court costs or filing fees. Because Ms. Cameron seeks leave to proceed that way, the Court must screen her complaint to see if it states a plausible claim. *See* 28 U.S.C. § 1915(e)(2)(B)(ii); *Ashcroft v. Iqbal*, 556 U.S. 662, 678 (2009) (quotations omitted). It doesn't, so I will dismiss her claims. Given the legal issues, my analysis will be brief.

*First*, Ms. Cameron has completed the Court's form and demonstrated that she is unable to pay the filing fees. So I will grant her leave to proceed *in forma pauperis*.

*Second*, Ms. Cameron asserts claims against the Commonwealth of Pennsylvania. But that claim cannot proceed in federal court. The Eleventh Amendment bars suits against a state and its agencies in federal court that seek monetary damages. *See Pennhurst State Sch. And Hosp. v. Halderman*, 465 U.S. 89, 99-100 (1984). The

Commonwealth has not waived that immunity. *See* 42 Pa.C.S.A. §§ 8521-22. The ADA also did not abrogate that immunity. *See Bd. of Trustees of the Univ. of Ala. V. Garrett*, 531 U.S. 356, 373-74 (2001). That means that this Court lacks the authority to hear her claims.

*Third*, and finally, Ms. Cameron names a human resources director, Elisa Weaver-Hines, as a defendant in the caption, though not in the body of her Complaint. The ADA does not provide for individual liability for damage. *See Koslow v. Com. of Pa.*, 302 F.3d 161, 178 (3d Cir. 2002). So, if Ms. Cameron intended to assert a claim against Ms. Weaver-Hines, she cannot do so.

In light of all of this, I must dismiss Ms. Cameron's claims. Because there's nothing she could do in an amended complaint to fix these problems, I will not give her leave to amend her complaint. But because I'm not reaching the merits of her claims against the Commonwealth of Pennsylvania, I will dismiss those claims without prejudice. Ms. Cameron can seek to bring appropriate claims against the Commonwealth in state court under the Pennsylvania Human Relations Act.

**BY THE COURT:**

/s/ Joshua D. Wolson

**JOSHUA D. WOLSON, J.**

February 16, 2023